

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:
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PCT

WRITTEN OPINION

(PCT Rule 66)

| | | |
|---|--|---|
| Date of Mailing (day/month/year) 26 SEP 2003 | | |
| Applicant's or agent's file reference 694231/0053 ✓ | REPLY DUE within 2 months/days from the above date of mailing | |
| International application No. PCT/US02/34510 | International filing date (day/month/year) 28 October 2002 (28.10.2002) | Priority date (day/month/year) 01 November 2001 (01.11.01) |
| International Patent Classification (IPC) or both national classification and IPC IPC(7): G06F 15/16, 15/163 and US Cl.: 709/208, 229, 311 | | |
| Applicant YAHOO! INC. | | |

1. This written opinion is the first (first, etc.) drawn by this International Preliminary Examining Authority.
2. This opinion contains indications relating to the following items:
 - I ☒ Basis of the opinion
 - II ☐ Priority
 - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - IV ☐ Lack of unity of invention
 - V ☒ Reasoned statement under Rule 66.2 (a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - VI ☐ Certain documents cited
 - VII ☐ Certain defects in the international application
 - VIII ☐ Certain observations on the international application
3. The applicant is hereby invited to reply to this opinion.

When? See the time limit indicated above. ~~The applicant may, before the expiration of that time limit, request this Authority to grant an extension. See rule 66.2(d).~~

How? By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

Also For an additional opportunity to submit amendments, see Rule 66.4.
 For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4 bis.
 For an informal communication with the examiner, see Rule 66.6

If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.
4. The final date by which the international preliminary examination report must be established according to Rule 69.2 is: 28 February 2005 (28.02.2005).

| | |
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| Name and mailing address of the IPEA/US Mail Stop PCT, Attn: IPEA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (703)305-3230 | Authorized officer Gilberto Barron <i>James R. Matthews</i> Telephone No. 703-305-3900 |
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Form PCT/IPEA/408 (cover sheet)(July 1998)

WRITTEN OPINION

International application No.

PCT/US02/34510

I. Basis of the opinion

1. With regard to the elements of the international application:*

- ☒ the international application as originally filed
- ☒ the description:
 - pages 1-65, as originally filed
 - pages NONE, filed with the demand
 - pages NONE, filed with the letter of _____
- ☒ the claims:
 - pages 66-75, as originally filed
 - pages NONE, as amended (together with any statement) under Article 19
 - pages NONE, filed with the demand
 - pages NONE, filed with the letter of _____
- ☒ the drawings:
 - pages 1-21, as originally filed
 - pages NONE, filed with the demand
 - pages NONE, filed with the letter of _____
- ☐ the sequence listing part of the description:
 - pages NONE, as originally filed
 - pages NONE, filed with the demand
 - pages NONE, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.
These elements were available or furnished to this Authority in the following language _____ which is:
- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
 - ☐ the language of publication of the international application (under Rule 48.3(b)).
 - ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the written opinion was drawn on the basis of the sequence listing:
- ☐ contained in the international application in printed form.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority in written form.
 - ☐ furnished subsequently to this Authority in computer readable form.
 - ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
 - ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☒ The amendments have resulted in the cancellation of:

- ☒ the description, pages none
- ☒ the claims, Nos. none
- ☒ the drawings, sheets/fig none

5. ☐ This opinion has been drawn as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed."

WRITTEN OPINION

International application No.
PCT/US02/34510

V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. STATEMENT

| | | |
|-------------------------------|-----------------------------------|-----|
| Novelty (N) | Claims <u>1-47, 53 and 59</u> | YES |
| | Claims <u>48-52, 54-58, 60-63</u> | NO |
| Inventive Step (IS) | Claims <u>1-47, 53 and 59</u> | YES |
| | Claims <u>48-52, 54-58, 60-63</u> | NO |
| Industrial Applicability (IA) | Claims <u>1-63</u> | YES |
| | Claims <u>NONE</u> | NO |

2. CITATIONS AND EXPLANATIONS

Claims 1-47, 53, and 59 meet the criteria set out in PCT Article 33(2)-(3), because the prior art does not teach or fairly suggest an automatic login functionality in which the user can access the website via a pull-down menu.

Claims 48-52, 54-58, 60-63 lacks novelty under PCT Article 33(2) as being anticipated by Slivka et al. U.S. Patent No. 6,061,695. Referring to claim 48, 56, and 62, Slivka et al. discloses the claimed limitation of controlling an Internet browser interface on a computer, enabling the user to access and navigate the Internet, by providing access to a program and making it available for downloading files using the toolbar in Column 5, lines 59-67, Column 6, lines 1-2, 20-40, 54-63.

Referring to claims 49 and 57, Slivka et al. discloses the claimed limitation wherein toolbar includes a interface object and is customizable by the user in Column 11, lines 35-53.

Referring to claims 50 and 60, Slivka et al. discloses the claimed limitation wherein the file comprises an ActiveX control in Column 16, lines 54-65.

Referring to claims 51 and 61, Slivka et al. discloses the claimed limitation wherein the file comprises a plug-in in Column 13, lines 46-48, Column 13, lines 46-64.

Referring to claims 52 and 58, Slivka et al. discloses the claimed limitation wherein interface object is a toolbar button in Column 10, lines 54-67.

Referring to claims 54 and 55, Slivka et al. discloses the claimed limitation wherein the information specific to the user of the computer can define all or part of the toolbar and the functions which are displayed and is dependent upon the information stored within the computer in Column 10, lines 40-67, Column 11, lines 1-4, 66-67, Column 12, lines 1-13.

Referring to claim 63, Slivka et al. discloses the claimed limitation wherein the interface object causes the browser to re-establish a connection to the site, in which the browser is activated to receive information in Column 19, lines 48-67, Column 20, lines 1-24.

Claims 1-63 meet the criteria set out in PCT Article 33(4), and thus have industrial applicability because the subject matter claimed can be made or used in industry.